

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
THE REPUBLIC OF RWANDA,	:	07 Civ. 7663 (JSR)
	:	
Plaintiff,	:	
	:	
-against-	:	<u>DECLARATION</u>
	:	
JUSEPH J. FERONE,	:	
FERONE & FERONE	:	
333 S. HEALEY AVENUE CORP.,	:	
	:	
Defendants.	:	
-----X	:	

ROBERT F. VAN LIEROP, declares and states:

1. I am of counsel at the firm Cowan DeBaets Abrahams & Sheppard LLP, attorneys for the plaintiff The Republic of Rwanda in the above action and submit this declaration in support of plaintiff's motion for an award of attorneys' fees against defendants and their attorney Alfred A. Delicata under 28 U.S.C. § 1927 and under the Court's inherent power.

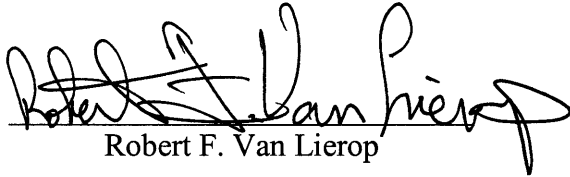
2. Attached hereto as Exhibit "A" is a true copy of my invoice to the plaintiff dated September 30, 2007 which includes the period from September 6, 2007, the date of the hearing on the Order to Show Cause, through September 24, 2007, when defendants' reply affirmation was received. The fees for that work amount to \$4,750.

3. Attached hereto as Exhibit "B" is a true copy of my curriculum vitae.

Dated: New York, New York

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 18, 2007



Robert F. Van Lierop

EXHIBIT A

Law Offices Of
Robert F. Van Lierop
Attorney at Law

41 Madison Avenue
34th Floor
New York, New York 10010

(T) 212-974-7474
(F) 212-974-8474

Republic of Rwanda
H.E. Mr. Joseph Nsengimana
Ambassador/Permanent Representative
Permanent Mission of Republic of Rwanda to the United Nations
124 East 39th Street
New York, NY 10016

RE: The Republic of Rwanda v. 333 S. Healy Corp., et al.

FOR PROFESSIONAL SERVICES RENDERED			<u>Hrs.</u>	<u>Rate</u>	<u>Amount</u>
09/06/07	RVL	Preparation for and attendance at Court hearing on motion.	2	500	1,000.00
09/07/07	RVL	Email correspondence with client.	1.5	500	750.00
09/17/07	RVL	Client consultations; conference with Real Estate broker; re: facts, draft and possible affirmation; conference with DBW; review files, and drafting Attorneys Declaration.	2	500	1,000.00
09/18/07	RVL	Conference with DBW; revise and finalize Attorneys Declaration.	1	500	500.00
09/19/07	RVL	Preparation of emails for client; conference with DBW; and review revised Memorandum of Law in further support to show cause and in opposition to the cross-motion in 333 Corp. matter.	2	500	1,000.00
09/24/07	RVL	Review reply affirmation, and conference with DBW.	1	500	500.00
TOTAL FEES FOR THIS MATTER					\$4,750.00
DISBURSEMENTS:					\$0.00

SUMMARY OF CHARGES ON THIS BILL through September 30, 2007

<u>Init.</u>	<u>Name</u>	<u>Hrs.</u>	<u>Rate</u>	<u>Amount</u>
RVL		9 ½	500	\$4,750.00
Total fees				\$4,750.00
Total disbursements				\$0.00
Total charges for this bill				\$4,750.00

EXHIBIT B

CURRICULUM VITAE

ROBERT F. VAN LIEROP

Robert F. Van Lierop, of counsel to one of New York's leading law firms, Cowan, DeBaets, Abrahams & Sheppard, graduated from Hofstra University in Hempstead, N.Y. with a B.A. in Economics, and from the New York University School of Law with a J.D. (LL.B). While at NYU, he was an Arthur Garfield Hays Civil Liberties Fellow.

In 1967, he joined the legal staff of the NAACP as an Assistant Counsel. While on the legal staff of the NAACP, he litigated housing and employment discrimination, school desegregation, and police misconduct cases. He also successfully represented a large number of African-American students who were arrested at Columbia University for protesting various policies of the University's administration. After entering private practice, he filed suit in Wilmington, Delaware to end an almost one year reign of martial law imposed in the aftermath of the assassination of Dr. Martin Luther King, Jr.

He was an associate with the firm of Fleischer Dornbush Mensch & Mandelstam from 1969-1971. While working for that firm, he specialized in commercial litigation, real estate, corporate law, international law, and sports and entertainment law.

In 1971, he left the firm to write, produce, and direct documentary film on the struggle to free the Southern African nation of Mozambique from 500 years of colonialism. This award winning film was followed by extensive work as a filmmaker, photo-journalist, and writer. His work appeared in a number of major publications including Ebony Magazine, The Black Scholar, Essence Magazine, and The New York Times. In 1974, one of his photos from a war zone of Guinea-Bissau was a cover of Newsweek Magazine. He continued making films on Southern Africa and was eventually asked to become co-producer of WABC-TV's award winning public affairs program Like-It-Is. In 1978, he left WABC-TV to resume independent documentary production and return to the practice of law. He subsequently became of counsel to the firm Cohn Glickstein Lurie Ostrin Lubell & Lubell, and then to the firm of Lubell & Lubell. Mr. Van Lierop has also been a guest lecturer at many renowned universities and law schools. He also taught a film course at the City College of New York.

Mr. Van Lierop has been actively involved in the international law activities of the United Nations and other international organizations for more than thirty years.

In 1981, he asked by the Government of the Republic of Vanuatu to become a special envoy and serve as its representative at the United Nations. He served as Vanuatu's Ambassador/Permanent Representative to the United Nations until 1994. He served in this diplomatic capacity while also practicing law. He has been legal counsel to a number of developing countries and their Permanent Missions to the United Nations, as well as the Permanent Observer Mission of the Organization of African Unity (OAU) to the United Nations.

The Ambassador's extensive diplomatic experience includes the Following:

- Chairman of the Vanuatu delegation to the United Nations Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea 1983-1993;

- Chairman of the Vanuatu delegation to the Intergovernmental Preparatory Committee for a Framework Convention on Climate Change;

- Chairman of the Vanuatu delegation to the Preparatory Committee for the United Nations Conference on the Environment and Development and member of the Group of 77 High Level Contact Group on Financial Resources and Mechanisms of Agenda 21;

- Special Envoy and Chairman of the Vanuatu observer delegation to the United Nations Commission on the International Trade Law;

- Special Envoy and Chairman of the Vanuatu delegation to the Non-Aligned Ministerial Meetings in New Delhi, India (1986) and Accra, Ghana (1991);

- Vanuatu representative on the Coordinating Bureau of the Movement of Non-Aligned Countries since 1986; a member of the Working Group of the Movement of Non-Aligned Countries on the Decade for the Eradication of Colonialism;

- Member of the Vanuatu delegation to Non-Aligned Summit Meeting held in New Delhi, India (1983), Harare, Zimbabwe (1986), and Belgrade, Yugoslavia (1989);

- Member of the Vanuatu delegation to Non-Aligned Ministerial Meetings held in Luanda, Angola (1985), and Nicosia, Cyprus (1988).

- Vice President of the 43rd Session of the United Nations General Assembly;

- Chairman of the Fourth Committee (Trusteeship and Decolonization) of the 44th Session of the United Nations General Assembly;

- Vanuatu's representative as Vice-President of the United Nations Conference on Environment and Development, Rio de Janeiro, Brazil (1992)

- Chairman of the Group of Asian States at the United Nations (February 1984, August 1989, January 1991, and December 1992);

- Vice Chairman of the Ad Hoc Committee of the Whole during the Sixteenth Special Session of the United Nations General Assembly, on *Apartheid and its Destructive Consequences in Southern Africa*;

- Special Envoy and Chairman of the Vanuatu delegation to the 41st, 42nd, 44th, 46th, and 48th Sessions of the United Nations General Assembly;

-Special Envoy and chairman of the Vanuatu delegation to the Thirteenth Special Session of the United Nations General Assembly, on the Consideration of the Critical Economic Situation in African to Focus, in a Comprehensive an Integrated manner, on the Rehabilitation an Medium-term and Long-term Development Problems and Adopting Action-Oriented and Concerted Measures;

-Special Envoy and Chairman of the Vanuatu delegation to the Fourteenth Special Session of the United Nations General Assembly, on the Question of Namibia;

-Special Envoy and Chairman of the Vanuatu delegation to the International Conference on the Relationship between Disarmament and Development, in 1987;

-Special Envoy and Chairman of the Vanuatu delegation to the Fifteenth Special Session of the United Nations General Assembly and the Third Special Session on Disarmament;

-Special Envoy and Chairman of the Vanuatu delegation to the Sixteenth Special Session of the United Nations General Assembly, on Apartheid and its Destructive Consequences in Southern Africa;

-Special Envoy and Chairman of the Vanuatu delegation to the Seventeenth Special Session of the United Nations General Assembly, on the *Question of International Co-operation Against Illicit Production, Supply, Demand, Trafficking an Distribution of Narcotic Drugs and Psychotropic Substances*;

-Personal Representative of H.E. The Hon. Father Walter H. Lini, Prime Minister of the Republic of Vanuatu, to the Planning Committee for the World Summit for Children, and Member of the Vanuatu delegation to the World Summit for Children held in New York (September 1990);

-Member if the Vanuatu delegation to the United Nations Conference on Environment and Development held in Rio de Janeiro, (June 1992);

-Member of the Vanuatu delegation to the Commonwealth Heads of Government Meeting held in Nassau, Bahamas (1985);

-Member of the Vanuatu delegation to the South Pacific Forum Meetings held in Suva, Fiji (1986); Apia, Western Samoa (1987); Port Vila, Vanuatu (1990), and Pohnpei, Federated States of Micronesia (1991);

-Special Envoy and Chairman of the Vanuatu delegation to the inauguration of the President of Nicaragua (1984);

-Special Guest and Chairman of the Vanuatu delegation to the National Day Commemoration in Ouagadougou, Burkina Faso (1988).

He was a Special Guest and member of the Drafting Committee at the Asia/Pacific Regional Seminar in Observance of the Thirtieth anniversary of the Declaration on the

Granting of Independence to Colonial Countries and Peoples held at Port Vila, Vanuatu (May 1990).

He was a Special Guest and participant in the Afro-Arab symposium held in Sharjah, United Arab Emirates (December 1976). He was also a special consultant to the Minister of Information of the Republic of Guyana (1979-80). Ambassador Van Lierop has also been an invited participant in numerous seminars organized by the United Nations and the Ministries of Foreign Affairs of a number of developing countries. In addition, he has spoken before a number of national legislative bodies on international affairs and foreign relations. In 1992, he served on a United Nations Panel of Experts to examine an Application to the Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice.

Ambassador Van Lierop was Chairman of the 41 member Alliance of Small Island States (AOSIS) from its inception in January 1991 through December 1993. As Chairman of AOSIS, he led its negotiating team at the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC/FCCC). He was also Co-Chairman of Working Group II (Legal and Institutional Mechanisms) of the INC/FCCC. He also represented Vanuatu and AOSIS at the negotiations for the restructuring of the Global Environment Facility (GEF).

Ambassador Van Lierop was an invited participant at the International Workshop on "The Rising Challenge of the Sea" organized by the Coastal Zone Management Subgroup of the Intergovernmental Panel on Climate Change (IPCC) held on Margarita Island, Venezuela (March 1992). He was also an invited participant at the Conference on the "Institutional Aspects of a Climate Change Regime" held in January 1992 in Bellagio, Italy. He was also a participant in the World Coast Conference held in Noordwijk, Netherlands (1-5 November 1993) and was Chairman of the Fourth day of the conference which was devoted to the subject of Integrated Management of Coastal Zones.

He participated as an expert advisor at the New York University School of Law colloquium on Selected Issues in Global Environment Regulation in April 1991, and in the Conference on the Future of U.N. Collective Security organized by the NYU Law School's Center for International Studies in January 1993. In September 1997 he participated in a major symposium at Hofstra University School of Law, War Crimes and War Crimes Tribunals: Past, Present and Future. He has also lectured at many other renowned universities and institutions of higher learning and written extensively on constitutional law, international law, human rights and international affairs.

Mr. Van Lierop edited and wrote the introduction to "Return to the Source: Selected Speeches by Amilcar Cabral." He also authored "The United Nations and the New World Agenda", New York University Journal of International Law and Politics, (Volume 24, Number 1) (Fall 1991) in April 1992. He is writing a book entitled "The Decolonization Process and the Right of Self-Determination Under International Law", and another on "Negotiating the United Nations Framework Convention on Climate Change". A collection of his works is archived in the Special Collections of the Schomburg Center for Research in Black Culture of the New York Public Library.

Mr. Van Lierop was a member of the Executive Committee of the Association of the Bar of the City of New York (ABCNY) (1997-2000), and formerly served the Association as Chair of its Committee on African Affairs (1994-1997), and as a member of the Committee on International Environment Law, the Committee on International Human Rights Law and the Council on International Affairs. He also chaired the Council on International Affairs (2000-03), and is a current member of the Honors Committee. In October 1995 he organized and chaired a major two-day conference "Doing Business from Cairo to Cape Town: Trade and Investment Opportunities in Africa," for the ABCNY. He is also a member of the American Bar Association (ABA), Section on International Law and Practice, and the Forum on Entertainment and Sports Industries; the New York State Bar Association; the American Society of International Law; the American Branch of the International Law Association; and the Black Entertainment and Sports Lawyers Association (BESLA). He formerly chaired the ABA African Law Committee, and was a member of the Planning Committee for the 50th Anniversary Commemorating the United Nation's Universal Declaration on Human Rights and the Genocide Convention. He is also a Life Fellow of the American Bar Foundation; a Fellow of the New York State Bar Foundation, and a member of the Advisory Committee of the ABA/UNDP Legal Resource Unit.

In August of 1996, Mr. Van Lierop was an invited guest at the annual meeting of the East African Law Society in Mombassa, Kenya, and addressed the meeting on the subject of "Constitutionalism." He was also the only practicing attorney included as a member of the high level five person ABA sponsored delegation that visited East and Central Africa as part of the Robert A. Shuler, U.S.- Africa Judicial Exchange Program in August/September 1996. In January of 1997, he was a keynote speaker at the founding meeting of the Project on African-Americans in International Law, held at Howard University School of Law in Washington, D.C. In March 1997, Mr. Van Lierop authored an extensive report for the American Bar Association (ABA) and the Association of the bar of the City of New York (ABCNY) on rebuilding the judicial system in Rwanda. The report was published in (Volume 31, Number 3) The International Lawyer. He serves as a member of the board of the Lawyers Committee on Nuclear Policy. He formerly served as a board member of the Lawyers Committee for Human Rights; the American Committee on Africa; the New York Civil Liberties Union; the Harlem Children's Theater; Arthur Ashe Institute for Urban Health; Malcolm-King College; Friends of the Alvin Ailey Dance Company; Friends of the Dance Theater of Harlem; and Sight Savers International. From 1985-1987, he chaired New York City Community Board #9 (Manhattan). He was also a member of the Manhattan Borough Development Corporation.

In 1990, the Prime Minister of the Republic of Vanuatu decorated the Ambassador with the Vanuatu Independence Medal. In 1993, the President of Portugal decorated him with the Great Cross of the *Ordem do Infante Dom Henrique*. In 1994, he received from Hostra University the degree of Doctor of Humane Letters, *honoris causa*. In 1989, he received the Kwame Nkrumah International Award. In 1987, the Black Alumni Association of NYU presented him with its Distinguished Alumnus Award "for his Achievements in International Affairs and as a Legal Advocate for Civil rights." In 1991, he received the George M. Estrabrook Distinguished Service Award from Hostra University, and in 1993, he received the University's Award for Alumni Achievement. He has received a number of other honors and awards. Mr. Van Lierop is an honorary member of the Phi Sigma Alpha, the political science honor society.

Mr. Van Lierop has a working knowledge of French and a somewhat more limited knowledge of Japanese, Portuguese and Spanish.

PROOF OF SERVICE

I am employed in the County of New York, State of New York. I am over the age of 18 and not a party to the within action; my business address is 41 Madison Avenue, 34th Floor, New York, New York 10014.

On **October 19, 2007**, I caused to be served, via e-mail and Federal Express, the following:

NOTICE OF MOTION;

**MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION FOR AN
AWARD OF ATTORNEYS' FEES;**

DECLARATION OF DAVID B. WOLF; and

DECLARATION OF ROBERT F. VAN LIEROP

addressed as follows:

**Alfred A. Delicata, Esq.
484 White Plains Road
Eastchester, NY 10709
italdel@aol.com**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at New York, New York on this 19th day of October, 2007.


Deborah Mays